

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO *et al.*

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**URGENT MOTION OF AURELIUS FOR LEAVE
TO FILE OVERLENGTH OMNIBUS REPLY BRIEF**

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¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Aurelius Investment, LLC, Aurelius Opportunities Fund, LLC, and Lex Claims, LLC (“Aurelius”), respectfully state as follows:

1. Parties have filed a total of six separate objections to Aurelius’s *Objection and Motion to Dismiss the Title III Petition* (“Motion to Dismiss”), Docket Number 913.

2. Under the applicable scheduling order, Dkt. 1392, Aurelius’s reply briefs to each objection are due on November 17, 2017.

3. The Court’s Case Management Order limits reply memoranda to 15 pages, absent leave of the Court. *See* Dkt. 1512-1, at 3. Aurelius is thus entitled to file a total of 90 pages in reply briefs in support of the Motion to Dismiss. In the interests of efficiency, however, Aurelius proposes filing one omnibus reply brief in support of the Motion to Dismiss.²

4. Due to the number of separate objections, and the complex and important issues presented, Aurelius will be unable to adequately respond to the six separate objections inside the current 15-page limitation for a single reply brief. Aurelius therefore respectfully requests leave to file an omnibus reply brief in support of the Motion to Dismiss of no more than 30 pages in length, excluding case caption, table of contents and authorities, signature pages, and any exhibits. This modest increase in page length will be substantially fewer total pages than Aurelius would otherwise be permitted to file, but will significantly assist in the efficient presentation of the issues before the Court. The Court has granted similar motions under similar circumstances in these proceedings. *See* Dkt. 445 (granting motion by the Oversight Board for overlength omnibus reply brief).

² Two parties have filed objections to Aurelius’s separate *Motion for Relief from the Automatic Stay*, Docket Number 914. Aurelius will file a single omnibus reply brief in support of that motion, but can do so within the 15-page limitation.

5. Aurelius certifies that it has reached out to counsel for all the parties that filed objections to Aurelius's Motion to Dismiss and that all such parties either affirmatively consented or do no object to the proposed page extension. A proposed order is attached as Exhibit A.

Dated: November 6, 2017

Respectfully submitted,

/s/ Luis A. Oliver-Fraticelli

/s/ Theodore B. Olson

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EXHIBIT A

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as representative of

THE COMMONWEALTH OF PUERTO RICO *et al.*

Debtors.³

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**ORDER GRANTING URGENT MOTION OF AURELIUS FOR LEAVE
TO FILE OVERLENGTH OMNIBUS REPLY BRIEF**

Upon the *Urgent Motion of Aurelius for Leave to File Overlength Omnibus Reply Brief* (the “Urgent Motion”), and there being no objections, it is **HEREBY ORDERED THAT:**

1. The Urgent Motion is granted.
2. Aurelius may file an omnibus reply in support of its *Objection and Motion to Dismiss the Title III Proceeding* of no more than 30 pages, excluding case caption, table of contents and authorities, signature pages, and any exhibits.

³ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

3. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

SO ORDERED.

Dated: _____
San Juan, Puerto Rico

LAURA TAYLOR SWAIN
United States District Judge